

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

TIMOTHY BARKER,

Plaintiff,

v.

MATTHEW DIVRIS, et al.,

Defendants.

Civil Action No. 24-cv-10089-DJC

ORDER

CASPER, J.

September 18, 2024

In this action, *pro se* plaintiff Timothy Barker, who is confined at the Massachusetts Treatment Center, alleges that, while he was confined at the North Central Correctional Institution, prison staff wrongfully damaged his television and denied him access to the courts. D. 1. On July 31, 2024, the Court entered an order allowing Barker’s motion for leave to proceed *in forma pauperis* and directing him to file an amended complaint no later than August 28, 2024 if he wished to proceed with this action. D. 6. The Court stated that failure to file an amended complaint by that date would likely result in dismissal of this action.

The deadline for complying with the Court’s July 31, 2024 order has elapsed without any response from Barker. On September 16, 2024, Barker filed a letter entitled “After Review” which summarizes his alleged financial losses and the \$5,000 he is seeking, the reasons for his delay and that he is seeking restitution for the destruction of his television, verbal threat, and discrimination. D. 8. Even accepting and considering this filing, D. 8, Barker still fails to state a plausible claim over which this Court has subject matter jurisdiction.

Accordingly, the Court DISMISSES this action without prejudice for the for the reasons set forth in its July 31, 2024 Order, D. 6.

So Ordered.

/s/ Denise J. Casper

Denise J. Casper
United States District Judge